

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL MARTIN,

Plaintiff,

v.

TRACY SCHNEIDER, et al.,

Defendants.

CASE NO. 3:24-cv-05899-LK

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Michelle L. Peterson. Dkt. No. 4. Judge Peterson recommends that this case be transferred to the United States District Court for the Eastern District of Washington. *Id.* at 3. The Court agrees and adopts the R&R.

On October 24, 2024, Mr. Martin filed an application to proceed *in forma pauperis* and a proposed complaint. Dkt. Nos. 1, 1-1. Mr. Martin, who is proceeding pro se, is currently in the custody of the Washington Department of Corrections and is confined at the Coyote Ridge Corrections Center (“CRCC”) in Connell, Washington. Dkt. No. 1 at 1. He brings this action under 42 U.S.C. § 1983 alleging violations of his constitutional rights based on, among other things, the

1 CRCC mailroom staff's alleged interference with incoming and outgoing mail to the Department
2 of Veterans Affairs, which caused him to lose several months of federal disability income. Dkt.
3 No. 1-1 at 5. The Court has not addressed Mr. Martin's application to proceed *in forma pauperis*
4 and no defendant has appeared in this action.

5 On November 22, 2024, Judge Peterson recommended that this action be transferred to the
6 Eastern District of Washington, explaining that Mr. Martin's "claims relate to mail processing
7 issues that originated at CRCC," which is in Franklin County in the Eastern District of Washington.
8 Dkt. No. 4 at 2–3. And although Mr. Martin "names some defendants who presumably reside in
9 the Western District of Washington, it appears that a substantial part of the events giving rise to
10 [his] claims occurred at CRCC and involved CRCC employees who presumably reside in the
11 Eastern District of Washington." *Id.* at 3.

12 The Court generally reviews findings and recommendations "if objection is made, but not
13 otherwise." *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Mr.
14 Martin did not file any objections to the R&R. For the reasons stated above, the Court agrees with
15 Judge Peterson that "the interests of justice require this matter to be transferred to the Eastern
16 District of Washington." Dkt. No. 4 at 3 (citing 28 U.S.C. § 1404(a)).

17 It is hereby ORDERED that:

18 (1) The Court ADOPTS the Report and Recommendation. Dkt. No. 4.

19 (2) This case is TRANSFERRED to the United States District Court for the Eastern District
20 of Washington.

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1 (3) The Clerk is directed to effectuate the transfer and to close this case. The Clerk is
2 further directed to send copies of this Order to Mr. Martin and to Judge Peterson.

3 Dated this 19th day of December, 2024.

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Lauren King
6 United States District Judge
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